

[Second Reprint]

ASSEMBLY, No. 3413

STATE OF NEW JERSEY

211th LEGISLATURE

INTRODUCED OCTOBER 18, 2004

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Assemblywoman MARY T. PREVITE

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SYNOPSIS

"The Domestic Violence and Workforce Development Initiative Act."

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on December 5, 2005, with amendments.

(Sponsorship Updated As Of: 1/6/2006)

1 AN ACT concerning services provided to victims of domestic violence
2 by the State's workforce development system, amending and
3 supplementing P.L. 1979, c.337 and supplementing Title 34 of the
4 Revised Statutes.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 1. (New Section) This act shall be known as "The Domestic
10 Violence and Workforce Development Initiative Act."

11
12 2. (New Section) Each counselor who provides counseling
13 pursuant to section 4 of P.L.1992, c.48 (C.34:15B-38), section 7 of
14 P.L.1992, c.43 (C.34:15D-7), or section 3 of P.L.1992, c.47 (C.43:21-
15 59), and any other staff member of the Department of Labor and
16 Workforce Development or of a One Stop Career Center as defined in
17 subsection d. of section 5 of P.L.2004, c.39 (C.34:1A-1.6) who
18 processes unemployment compensation claims and has direct, in
19 person, contact with claimants or who provides counseling or
20 employment services to claimants, shall:

21 a. Be trained to implement the provisions of this section applicable
22 to the counselor or staff member and to understand and address
23 employment, training, income security, safety and related issues facing
24 individuals who are victims of domestic violence as defined in section
25 3 of P.L.1991, c.261 (C.2C:25-19);

26 b. Comply with standards adopted by the Commissioner of Labor
27 and Workforce Development, in consultation with the Advisory
28 Council on Domestic Violence created pursuant to P.L.1979, c.337
29 (C.30:14-1 et seq.), regarding the screening or self-screening of each
30 individual receiving any of the indicated counseling or employment
31 services or applying for unemployment compensation, to ascertain
32 whether the individual is a victim of domestic violence;

33 c. For each individual ¹[found] who is or appears¹ to be a victim
34 of domestic violence, make referrals to services determined to be
35 appropriate in the case of the individual, including, but not limited to,
36 any appropriate referral to a designated domestic violence agency as
37 defined in subsection (j) of R.S.43:21-5 or a community shelter for
38 victims of domestic violence certified pursuant to standards and
39 procedures established by P.L.1979, c.337 (C.30:14-1 et seq.), and
40 disclose the rights that the individual may have to unemployment
41 compensation pursuant to subsection (j) of R.S.43:21-5 ². but shall

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALA committee amendments adopted November 22, 2004.

² Senate SBA committee amendments adopted December 5, 2005.

1 not provide domestic violence counseling or be regarded as a Certified
2 Domestic Violence Specialist² ;

3 d. Include in any Employability Development Plan developed for
4 the individual appropriate accommodations for the individual's needs
5 as a victim of domestic violence; and

6 e. Comply with all requirements regarding the confidentiality of the
7 individual, including, as applicable, the requirements of section 4 of
8 P.L.1992, c.48 (C.34:15B-38), section 7 of P.L.1992, c.43
9 (C.34:15D-7), section 3 of P.L.1992, c.47 (C.43:21-59) and the
10 "Address Confidentiality Program Act," R.S.47:4-1 et seq.

11 The training conducted pursuant to subsection a. of this section
12 shall be conducted by a Certified Domestic Violence Specialist or, if
13 a Certified Domestic Violence Specialist is not available to conduct the
14 training, by another person found by the Commissioner of Labor and
15 Workforce Development¹, in consultation with the Commissioner of
16 Community Affairs,¹ to have equivalent qualifications and expertise
17 regarding domestic violence issues, based on standards of qualification
18 and expertise developed by the commissioner in consultation with the
19 Advisory Council on Domestic Violence created pursuant to P.L.1979,
20 c.337 (C.30:14-1 et seq.). For the purposes of this section, "Certified
21 Domestic Violence Specialist" means a person who has fulfilled the
22 requirements of certification as a Domestic Violence Specialist
23 established by the New Jersey Association of Domestic Violence
24 Professionals.

25
26 3. (New Section) The Commissioner of Labor and Workforce
27 Development shall, pursuant to the "Administrative Procedure Act,"
28 P.L. 1968, c. 410 (C. 52:14B-1 et seq.), and in consultation with the
29 Advisory Council on Domestic Violence created pursuant to P.L.1979,
30 c.337 (C.30:14-1 et seq.) ¹and the Commissioner of Community
31 Affairs¹, adopt rules and regulations to effectuate the purposes of
32 section 2 of this act.

33
34 4. Section 4 of P.L.1979, c. 337 (C.30:14-4) is amended to read as
35 follows:

36 4. a. There is created an Advisory Council on Domestic Violence
37 which shall consist of [19] 20 members: the Director of the Division
38 on Women in the Department of Community Affairs, the Director of
39 the Division of Youth and Family Services and the Director of the
40 Division of ¹[Public Welfare] Family Development¹ in the Department
41 of Human Services, the Director of the Administrative Office of the
42 Courts, the Commissioner of the Department of Education, the
43 Commissioner of Labor and Workforce Development, the Attorney
44 General, or their designees, and one representative of Legal Services
45 of New Jersey, one former domestic violence shelter resident, one
46 representative of the Police Chiefs Association, one representative of

1 the County Prosecutors Association, one representative of the New
2 Jersey State Nurses Association, one representative of the Mental
3 Health Association in New Jersey, one representative of the New
4 Jersey Crime Prevention Officers Association, one representative of
5 the New Jersey Hospital Association, one representative of the Violent
6 Crimes Compensation Board, and four representatives of the New
7 Jersey Coalition for Battered Women to be appointed by the
8 Governor.

9 b. The advisory council shall:

10 (1) Monitor the effectiveness of the laws concerning domestic
11 violence and make recommendations for their improvement;

12 (2) Review proposed legislation governing domestic violence and
13 make recommendations to the Governor and the Legislature;

14 (3) Study the needs, priorities, programs, and policies relating to
15 domestic violence throughout the State; and

16 (4) Ensure that all service providers and citizens are aware of the
17 needs of and services available to victims of domestic violence and
18 make recommendations for community education and training
19 programs.

20 c. The advisory council shall periodically advise the Director of the
21 Division of Youth and Family Services in the Department of Human
22 Services and the Director of the Division on Women in the Department
23 of Community Affairs on its activities, findings and recommendations.
24 (cf: P.L.1987, c. 103, s.1)

25

26 5. (New Section) The Commissioner of Human Services, in
27 consultation with the Advisory Council on Domestic Violence ¹and the
28 Commissioner of Community Affairs¹, shall develop a plan for public
29 agencies and other providers of services to victims of domestic
30 violence, including designated domestic violence agencies as defined
31 in subsection (j) of R.S.43:21-5 and community shelters for victims of
32 domestic violence certified pursuant to standards and procedures
33 established by P.L.1979, c.337 (C.30:14-1 et seq.), to increase agency
34 and provider awareness and use of the State's workforce development
35 system to assist victims of domestic violence.

36

37 6. This act shall take effect immediately.